

3. For the reasons recorded in the the case of **V.K.Jain and others Vs. Pratap V. Padode**, reported in **2005(3) Mh.L.J.778**, which has been upheld by the Hon'ble Apex Court, I am of the opinion that the petitioner has an efficacious

remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the petitioner prefers revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the petitioner to prefer the necessary revision before the concerned Sessions Court. The learned advocate for the petitioner makes a statement that the necessary revision will be preferred within six weeks from today. In view of this statement, the trial Court shall not proceed with the trial for a period of six weeks from today.

5. On the necessary revision being preferred by the petitioner before the concerned Sessions Court, the concerned Sessions Court after hearing necessary parties shall dispose of the matter on merits.

6. Writ Petition is disposed of accordingly.

.. (3) ..

(SMT.V.K.TAHILRAMANI, J.)